

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTOPHER N. WASHINGTON,
Plaintiff,

v.

NURSE MAGADO,
Defendant.

Case No. 21-cv-08126 BLF (PR)

**ORDER GRANTING MOTION FOR
EXTENSION OF TIME TO
PROVIDE MORE INFORMATION
FOR DEFENDANT MAGADO**

(Docket Nos. 16, 17)

Plaintiff, a state prisoner, filed the instant *pro se* civil rights action pursuant to 42 U.S.C. § 1983 against medical staff at Salinas Valley State Prison (“SVSP”). Dkt. No. 1. On August 22, 2022, the Court found the amended complaint, Dkt. No. 8, stated a cognizable claim against Nurse Magado for deliberate indifference to serious medical needs and ordered the matter served. Dkt. No. 9. All other named Defendants were dismissed from the action as there were no cognizable claims against them. *Id.* The CDCR filed a response, stating that they are unable to identify “Nurse Magado.” Dkt. Nos. 10, 14. Accordingly, this sole Defendant has not yet been served.

On October 31, 2022, the Court directed Plaintiff to provide more information regarding this Defendant’s identity to serve this matter, or face dismissal under Rule 4(m) of the Federal Rules of Civil Procedure. Dkt. No. 15.

1 Plaintiff has filed a motion requesting an extension of time to respond to the court
2 order, citing delays in the prison mail in receiving it. Dkt. Nos. 16, 17. Good cause
3 shown, the motion is GRANTED.

4
5 **CONCLUSION**


6 For the foregoing reasons, Plaintiff's motion for an extension of time is
7 **GRANTED**. Plaintiff must file notice providing the Court with more information to
8 properly identify **Defendant Nurse Magado**, e.g., a first initial, such that the Marshal is
9 able to effect service. He shall do so **within twenty-eight (28) days** of the date this order
10 is filed.

11 If Plaintiff fails to respond with this information in the time provided, his claims
12 against Defendant Magado shall be dismissed without prejudice pursuant to Rule 4(m) of
13 the Federal Rules of Civil Procedure without further notice to Plaintiff.

14 This order terminates Docket Nos. 16 and 17.

15 **IT IS SO ORDERED.**

16 **Dated: __December 22, 2022__**

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18 BETH LABSON FREEMAN
19 United States District Judge
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